

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOSEPH ESKRIDGE,)	
)	
Plaintiff,)	
v.)	C.A. No. 06-193 Erie
)	
MS. PETERS,)	
)	
Defendant.)	

MEMORANDUM ORDER

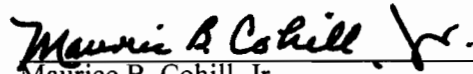
Plaintiff's civil rights complaint was received by the Clerk of Court on August 24, 2006, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on May 30, 2008, recommended that this action be dismissed for plaintiff's failure to prosecute. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail at SCI Forest, the last address of record, and on Defendant. No objections were filed. After de novo review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 16th day of July, 2008;

IT IS HEREBY ORDERED that this complaint is DISMISSED for failure to prosecute.

The report and recommendation of Magistrate Judge Baxter, dated May 30, 2008, is adopted as the opinion of the court.


Maurice B. Cohill, Jr.
Senior United States District Judge

cc: Susan Paradise Baxter
U.S. Magistrate Judge

all parties of record _____